

REMARKS

The Office Action dated January 10, 2005 has been received and carefully noted. The above amendments to the specification and claims and the following remarks, are submitted as a full and complete response thereto.

The specification is amended to correct informalities. Claims 1-3, 5-7 and 13-23 are amended to particularly point out and distinctly claim the subject matter of the present invention. Claim 12 is cancelled without prejudice and new claims 24-33 are added. No new matter has been added. Claims 1-3, 5-11 and 13-33 are submitted for consideration.

Claim 16 was objected to because of informalities. It is respectfully submitted that claim 16 is amended to obviate this objection by correcting the informalities noted in the Office Action. Accordingly, withdrawal of the objection to claim 16 is respectfully requested.

Claims 1, 2, 6, 9 13, 14, 18 and 21 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,374,112 to Widegren et al. (Widegren). This rejection is respectfully traversed.

Independent claim 1, from which claims 2-3, 5-11 and 13-23 depend, recites a method of setting up a communication session in a wireless communications network comprising at least a radio access network, an application layer and a transport layer. The method comprises transmitting a request for a communication channel setup from a user equipment to a first network element in the transport layer of the wireless communications network. In the method, the communication channel carries content of the

communication session, and the request contains an indication to the first network element that radio resource allocation is to be prevented for the communication channel in the transport layer before the communication session in the application layer has been successfully established. It is respectfully submitted that the cited references fail to disclose or suggest all of the features of the pending claims.

Widegren discloses providing flexible radio access and resource allocation in a Universal Mobile Telephone System (UMTS). In Figure 5 and in column 11 line 52 – column 12 line 32, Widegren discloses setting up a multimedia call, through a plurality of service nodes. Each of the nodes analyzes the types of parameters involved including the types of media, coding for video and speech, bearer request characteristics. Based on the parameters and cost factors for the multimedia call, the service node requests one or more radio access bearers from the UTRAN (UMTS Terrestrial Radio Access Network). The radio access bearer request specifies a quality of service, traffic class and traffic parameters. See column 12 lines 5-7 of Widegren.

However, Widegren fails to disclose or suggest the feature that the communication channel is for the purpose of carrying content of the communication session and the request contains an indication to the first network element that radio resource allocation is to be prevented for the communication channel in the transport layer before the communication session in the application layer has been successfully established, as recited in claim 1 (underline added). In fact Widgren fails to mention that the resources

are prevented from being allocated at any time. Instead, as stated above, Widegren merely discloses that the service node requests one or more radio access bearers from the UTRAN. The requests in Widegren only considers requests sent by the service node to the radio access network, and those requests contain only conventional QoS (quality of service) information, which does not include any means or method to suppress radio resource allocation. Thus, Widegren fails to disclose or suggest that requests sent by the user equipment contain any information related to radio resource allocation.

It is respectfully submitted that since claims 2, 6, 9, 13, 14, 18 and 21 depend from claim 1, these claims are allowable at least for the same reasons as claim 1.

It is respectfully submitted that the cited reference fails to disclose or suggest all of the features of the pending claims. Accordingly, withdrawal of the rejection of claims 1, 2, 6, 9, 13, 14, 18 and 21 under 35 U.S.C §102(e) is respectfully requested.

The Office Action rejected claims 3, 5, 8, 10, 11, 15, 17, 20, 22 and 23 under 35 U.S.C. §103(a) as being obvious over Widegren, in view of US Application No. US 2002/0034166 to Barany et al. (Barany). This rejection is respectfully traversed.

It is respectfully submitted that Widegren is deficient at least for the reasons discussed above regarding claim 1 and Barany fails to make up for these deficiencies in Widegren because Barany does not qualify as prior art for the present application under 35 U.S.C 102(e).

The present application claims priority under 35 U.S.C §120 from U.S. Patent Application Serial Number 09/546,209 which was filed on April 10, 2000. It is respectfully submitted that the subject matter of the present application was disclosed in the parent patent application. Barany was filed on December 15, 2000.

The Office Action takes the position that Widegren discloses all of the features of the pending claims except the feature of setting up [a] communication channel without radio resources, setting up a communication session between the user equipment and third network element in a second network. The Office Action alleges that Barany makes up for these deficiencies.

However, Barany merely discloses a method for providing a call in a wireless network by sending an identifier to identify the call as a packet-switched call and communicating control signaling in traffic channels of the wireless network to establish the packet-switched call.

It is respectfully submitted that the cited references fail to disclose or suggest all of the features recited in claims 3, 5, 8, 10, 11, 15, 17, 20, 22 and 23. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

Newly submitted claims 24-33 claim additional embodiments of the present invention, the subject matter of which is not anticipated or rendered obvious by the prior art of record.

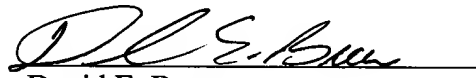
It is respectfully submitted that the cited prior art fails to disclose or

suggest the features of claims 1-3, 5-11, and 13-33. It is therefore respectfully requested that these claims be allowed, and this application passed to issue.

In view of the foregoing amendments and remarks it is submitted that each of the claims in the application is in condition for allowance. If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,


David E. Brown
Registration No. 51,091

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

DEB:/mm

Enclosures:

Petition for Extension of Time
Fee Transmittal



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

FACCIN et al

Group Art Unit: 2687

Serial Number: 09/828,127

Examiner: Un C. Cho

Filed: April 9, 2001

Atty. Docket No. 59864.00309

For: TECHNIQUE FOR SETTING UP CALLS IN MOBILE NETWORK

REVOCATION AND NEW POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, Nokia Corp., is the assignee of the entire right, title and interest of the above-identified application by virtue of an assignment from the inventors. The Assignment was recorded in the United States Patent & Trademark Office at Reel 012245, Frame 0967, on October 10, 2001. The undersigned hereby revokes any and all powers of attorney heretofore granted and hereby appoints the firm of:

Customer Number 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

and individually the partners and associates thereof.

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Douglas H. Goldhush, Reg. No. 33,125; Kevin F. Turner, Reg. No. 43,437;
William F. Nixon, Reg. No. 44,262; Arlene P. Neal, Reg. No. 43,828; Majid S.
AlBassam, Reg. No. 54,749; David E. Brown, Reg. No. 51,091, and Alicia M.
Choi, Reg. No. 46,621.

as attorneys to prosecute the application and to transact all business in the Patent and
Trademark Office connected therewith. It is respectfully requested that the records of the
United States Patent & Trademark Office be updated to reflect this information, and that all
correspondence be sent to the address indicated above.

NOKIA CORP.

Date: 16th June 2005

By: 

(Signature)

Karolina Junnila

(Name)

IPR Manager

(Title)

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